



**UNITED STATES DEPARTMENT OF COMMERCE**  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/762,633	02/12/01	MOTOYAMA	MOTOYAMA1

001444 HM32/1029  
BROWDY AND NEJMARK, P.L.L.C.  
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WASHINGTON DC 20001-5300

EXAMINER
TAYLOR, J

ART UNIT	PAPER NUMBER
1655	9

DATE MAILED: 10/29/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



UNITED STATES DEPARTMENT OF COMMERCE  
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Washington, D.C. 20231

09/762,633

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MOTOYAMA

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MOTOYAMA1

SERIAL NUMBER 001244	FILING DATE 12/12/2001	FIRST NAMED APPLICANT MOTOYAMA	ATTORNEY DOCKET NO. MOTOYAMA-1
BROWDY AND NEIMARK, P.L.L.C. 609 762 633 10111TH STREET, NW SUITE 300 WASHINGTON DC 20001-5303		TAYLOR, J	

EXAMINER 1655	
Janell Taylor Cleveland 10/29/01	
ART UNIT	PAPER NUMBER
1655	09

DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

1. The reply filed on 09/762,633 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the original restriction requirement, mailed 5/18/2001, included the requirement that only ONE NUCLEOTIDE SEQUENCE be elected. In Applicant's response, two distinct groups were formed: Group 1, drawn to claims 1, 2, 5, 7, 9, and 11, and Group 2, drawn to claims 3, 4, 6, 8, 10, and 12. Examiner appreciates this additional clarification, and recognizes Applicant's election of Group 2. However, the requirement still stands that one sequence be elected. In other words, the claims of Group 2 recite SEQ ID NOS: 3, 4, 7-9, and 11. Applicant is required to submit ONE of these sequences for examination. After Applicant elects one of these sequences for prosecution, claims 3, 4, 6, 8, 10, and 12 will be examined to the extent that they apply to that single nucleotide sequence. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

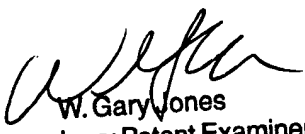
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janell Taylor Cleveland, whose telephone number is (703) 305-0273.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones, can be reached at (703) 308-1152.

Any inquiries of a general nature relating to this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Papers related to this application may be submitted by facsimile transmission. Papers should be faxed to Group 1634 via the PTO Fax Center using (703) 305-3014 or 305-4227. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG (November 15, 1989.)

Janell Taylor Cleveland  
October 23, 2001

  
W. Gary Jones  
Supervisory Patent Examiner  
Technology Center 1600